

Definitions

(Note: this index is provided for convenience purposes and does not form part of this By-law.)

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Definitions

For the purposes of this By-law, the definitions and interpretations as set out in this Section shall govern.

“accessory building” or **“structure”** means a *building* or *structure* used for an accessory purpose, including a *private garage*, but not used for human habitation unless otherwise permitted by this By-law. *Accessory structures* do not include *driveways*, walks, fences, retaining walls, or ornamental walls, noise walls, or masonry incidental to the main *use* of the premises, but do include *parking pads*.

“accessory use” means a *use* naturally or normally incidental to, subordinate to or exclusively devoted to a principal *use* and located on the same *lot* as the principal *use*.

“adult entertainment establishment” means any premises or part thereof used in the pursuance of a business, if:

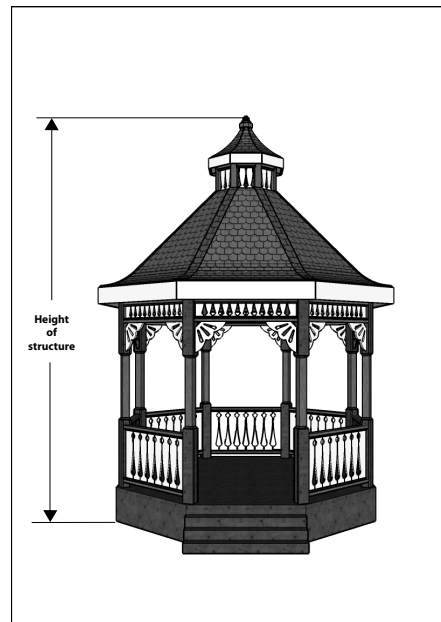
- i. entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or
- ii. body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or
- iii. adult videos are sold, rented, or offered or displayed for sale or rental, where the proportion of adult videos to other videos exceeds 1:10.

“adult video” means any cinematographic film, videotape, video disc, or other medium designed to produce visual images that may be viewed as moving pictures, classified by the Ontario Film Review Board or any successor agency, as both “restricted” and “adult sex film”, or any similar successor designation.

“affected airshed” means any area outside of the property boundaries of a proposed power generation facility where adverse effects (as defined in the PPS) may occur.

“agriculture” means lands and *buildings* used for arboriculture, horticulture, and animal husbandry, and “agricultural” has a similar meaning.

“alternative energy system” means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.



A gazebo is a type of accessory structure.

Definitions

“amenity area” means an area of land located anywhere on a *lot*, or the roof of a parking *structure*, *private garage* or any other *building* which includes *landscape area*, but which may also include areas of decking, decorative paving or other similar surface and includes a *balcony*, *porch* or deck.

“ancillary retail/service commercial” means a *retail* or service *commercial use* which is associated with, but clearly subordinate to, a principal *use*, but which is not *accessory* to it:

- i. with a maximum *leasable floor area* of 15% of the *building*;
- ii. with a maximum *leasable floor area* of 250 square metres per *ancillary retail use*, or service *commercial use*; and,
- iii. without a separate direct exterior access.

“ancillary services” means services necessary to maintain the reliability of the IESO-controlled grid, including frequency control, voltage control, reactive power and operating reserve services.

“art gallery” means a premises used for any combination of the preservation, production, exhibition or sale of paintings or other works of art.
(2012-001)

“balcony” means an attached covered or uncovered platform projecting from the face of a wall, including above a *porch*, which is only directly accessible from within a *building*, usually surrounded by a balustrade or railing, and does not have direct exterior access to *grade*.

“basement” means that portion of a *building* below the *first storey*.

“bed and breakfast establishment” means the provision of lodging with or without meals for the traveling public within a *single detached dwelling*.

“bicycle parking space” means a *bicycle parking space - occupant* or a *bicycle parking space – visitor*.

“bicycle parking space - occupant” means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather-protected and suitable for the purpose of long term-bicycle parking and:

- i. where the bicycles are to be parked on a horizontal surface:
 - a. has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and,
 - b. in the case of a bicycle rack, is designed for frame (not wheel-only) support, is securely anchored to the ground and is located in a secured room or area;
- ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 0.5 metres and a vertical dimension of at least 1.9 metres; and,

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iii. is not to be provided within a *dwelling unit, suite, or on a balcony*.

“bicycle parking space - visitor” means an area for the purpose of parking and securing bicycles with a bicycle rack that is accessible, and:

- i. where the bicycles are to be parked on a horizontal surface, is designed for frame (not wheel-only) support, is securely anchored to the ground, and has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
- ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 0.5 metres and a vertical dimension of at least 1.9 metres;
- iii. may be located outdoors or indoors but not within a *commercial suite, secured room, enclosure or bicycle locker*.

“building” means a *structure* consisting of any combination of walls, roofs and floors, or a structural system serving the function thereof. (2012-001)

“café” means a *restaurant* with a maximum *leasable floor area* of 100 square metres and which serves non-alcoholic beverages, snacks and light meals and does not include a drive-through.

“campground” means the overnight and/or temporary camping or parking of travel trailers, truck campers, or tents for recreational or vacation *use*. (2012-001)

“cemetery” means the lands used or intended to be used for the interment of human remains.

“club” means premises used as a meeting place by members and guests and members for not-for-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include *uses* that are normally carried out as a *commercial* enterprise and does not include a place of worship.

“cogeneration” also known as combined heat and power means the generation of electricity or mechanical power and thermal energy (heating or cooling) produced from one fuel source in the same facility.

“cogeneration facility” means a *building or structure* or parts thereof used for *cogeneration*.

“commercial” means the *use of land, buildings or structures* for the purpose of buying and selling commodities and the supplying of services.

“commercial building” means a *building* that is used solely for *commercial* purposes and is not primarily used for a *general office use or medical office use*.



Wheel-only supportive bicycle racks are not permitted.



Bicycle racks with frame supports are encouraged.



Wall-mounted bicycle racks could count as vertical spaces.

Definitions

“commercial fitness centre” means premises in which facilities are provided for the purpose of profit for recreational or athletic activities such as body-building and exercise classes and may include associated facilities such as a sauna, swimming pool, solarium, cafeteria and *accessory uses* as well as *ancillary retail*, but does not include a stadium or arena.

“commercial/residential” means a form of mixed-use or live-work *building* that has a *commercial* component and a residential component consisting of:

- i. **“combined commercial/residential”** : A *building* where the *commercial* and residential components are accessed by entirely separate entrances; or
- ii. **“connected commercial/residential”** : A *townhouse dwelling*, including a *stacked townhouse dwelling*, where the ground floor, or part thereof, is used for *commercial* purposes and where the *commercial* and residential components are accessed by a common internal entrance.

“commercial self storage” means a *building* consisting of individual, self-contained units that are leased or owned for the storage of business or household goods, including contractor’s supplies.

“commercial vehicle” means a motor *vehicle* having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways but does not include an *heavy vehicle*.

“community centre” means a multi-purpose facility or part of that facility owned and operated by a *public authority*, which offers a variety of programs of a recreational, cultural, community service, information or instructional nature, and other *uses* authorized through an agreement with the Town.
(2012-001)

“contractors facility” means a facility where motor *vehicles* and equipment required for the maintenance and operation of *uses* undertaken by a contractor are stored, and materials used for or resulting from the maintenance and operation of such *uses* are stored or processed. (2012-001)

“convenience store” means a *retail* store with a maximum *leasable floor area* of 1,000 square metres where articles for sale are restricted to a limited range of goods, primarily food, toiletries, housewares, stationary and other similar daily household necessities, but does not include a *supermarket*.

“day care” means:

- i. a premises, including outdoor areas, where children are provided with temporary care and/or guidance for a continuous period not exceeding 24 hours and are licensed in accordance with the Child Care and Early Years Act as may be amended or replaced from time to time; or, (2022-007)

Looking for “deck”? For zoning purposes, decks are called “uncovered platforms.” The definition can be found under “uncovered platform” in this section.

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- ii. an indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation. (2022-007)

“district energy” means the production of thermal energy (heating or cooling) with or without cogeneration that is distributed to users at a community scale.

“district energy facility” means a centrally located facility or linked facilities including pipeline distribution system for the production and distribution of district energy.

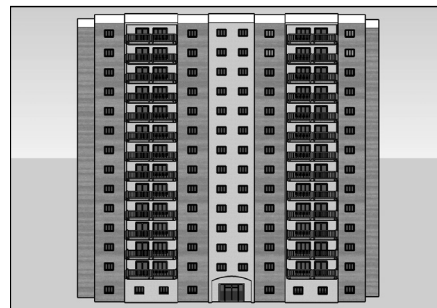
“dormitory” means a *building* or part of a *building* owned or operated by a *post-secondary school* or *private school* primarily used for the housing of students and staff and consisting of *dwelling units*, habitable rooms, or both. (2012-001)

“drive-through facility” means the *use* of land, *buildings* or *structures*, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in motorized *vehicles* that are in a designated *stacking lane*. A *drive through facility* may be in combination with other *uses*. A *drive-through facility* does not include *vehicle repair facility* or a *gas bar*.

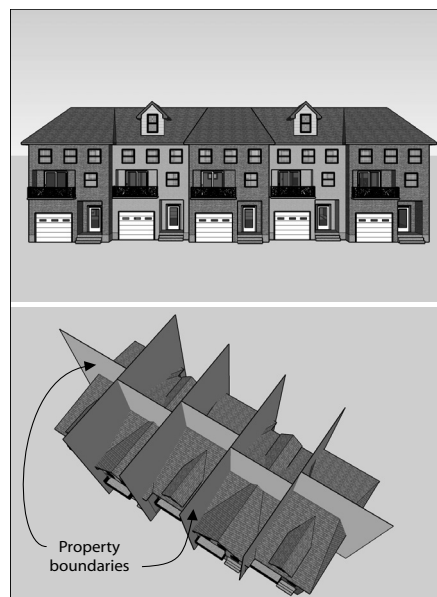
“driveway” means a *vehicle* access provided between a *street* or *lane* and a *parking space*, parking area or loading area, or between two parking areas and shall be constructed and maintained with a stable dustless surface.

“dwelling” means a place of residence, but does not include a *hotel*, or a *building* used for institutional purposes such as a *group home*, *nursing home*, or boarding school, and

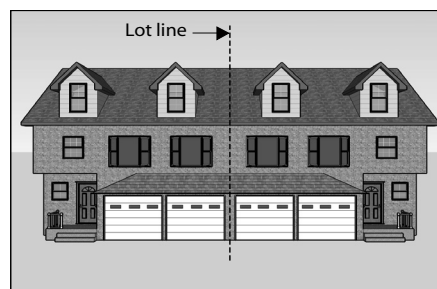
- i. **“apartment dwelling”** or **“apartment”** means a *building* containing more than four *dwelling units* where the units are connected by an interior corridor;
- ii. **“townhouse dwelling”** or **“townhouse”** means a *building* or *structure* that is vertically divided into a minimum of three *dwelling units*, each of which has an independent entrance from *grade* to the front and rear of the *building*, and each of which are divided vertically above *grade* by a common wall adjoining *dwelling units* or a *private garage* above *grade*;
- iii. **“townhouse dwelling back-to-back”** or **“townhouse back-to-back”** means a *building* containing four or more *dwelling units* divided vertically above *grade* by common wall, including a rear common wall, that do not have *rear yards*;
- iv. **“semi-detached dwelling”** means a *building* or *structure* containing two *dwelling units* each having private accesses and designed for the *use* as a single non-profit housekeeping unit, which *dwelling units* are divided vertically above *grade* by a common wall;



Apartment dwellings.



Back-to-back townhouse dwellings.



Semi-detached dwellings.

Definitions

- v. **“single detached dwelling”** means a separate *building* occupied or designed to be occupied by one or more persons as a single non-profit housekeeping *dwelling unit*, including domestic servants and non-paying guests;
- vi. **“stacked townhouse dwelling”** or **“stacked townhouse”** means a *building* or *structure* divided into a minimum of three *dwelling units* each *dwelling unit* being separated from the other vertically and/or horizontally and each *dwelling unit* having an entrance shared with no more than three other units;
- vii. **“triplex dwelling”** or **“triplex”** means a *building* that is divided into three (3) separate *dwelling units*, each with an entrance that is either independent or through a common vestibule but is not a *townhouse dwelling*;
- viii. **“duplex dwelling”** or **“duplex”** means a *building* that is divided into two (2) separate *dwelling units*, each with an entrance that is either independent or through a common vestibule but is not a *semi-detached dwelling*; and,
- ix. **“dwelling unit”** means one or more habitable rooms designed for *use* by, containing separate kitchen and bathroom facilities for the private use of, one household or person as a single non-profit housekeeping unit.

“emergency services facility” means a *building* that houses emergency personnel, their supplies, equipment and *vehicles*. (2012-001)

“enclosed and roofed walkways” means a *structure* with no *basement* that connects a detached *accessory building* and the *main building* on the *lot* and which is designed and used as a walkway between *buildings* and not used for any other purpose.

“established grade” means the *grade* elevation measured at:

- i. the centre point of the *front lot line* for *interior lots*; and,
- ii. the average of the elevations of the centre points of each lot line abutting a street for corner lots, *through lots* and *interior lots* having more than one separate *front lot line*. (2022-007)

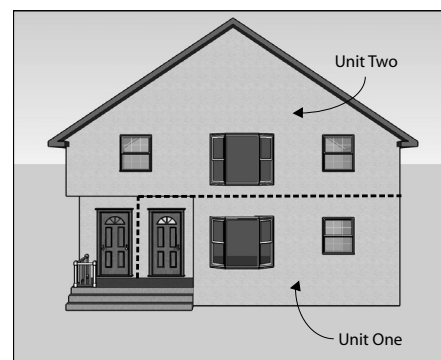
“financial institution” means a business where money is deposited, withdrawn, kept, lent or exchanged.

“floor area” means the total area of all floors of a *building* within the outside walls or outside finished furred partitions of the walls, but does not include a *porch*, non-walk-in bay window, attic, *basement*, *enclosed* or *roofed walkways* or *loading dock*, unless otherwise specified by this By-law. (2022-007)

“floor area, leasable” total area of all floors of a *building* within the outside walls or outside finished furred partitions of the walls, but does not include the area of walls, stair wells, elevators, escalators, ventilating shafts, attics, attached enclosed and covered *loading docks* and related enclosed corridors



Townhouse dwellings.



Duplex dwellings.

Definitions

used for loading purposes, *parking garage*, rooms for garbage containment, rooms for bicycle parking and mechanical rooms. (2022-007)

“floor space index” means the *floor area* of all *buildings* on a *lot* divided by the *lot area*.

“front wall” means the closest point, measured at *grade* level, of the wall of a *building* facing or most nearly facing the *street* from which the *building* has its principal access.

“frontage” see *lot frontage*

funeral home means a *building*, or part of a *building*, used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of human body for interment or cremation.

“gas bar” means a *commercial use* for the sale of fuel, oils, and accessories for motor *vehicles* and which may also include a *convenience store* and/or a car wash as an *accessory use*.

“general industrial operation” means:

- i. heavy manufacturing, refining, repair, fabricating, processing operations, servicing, packaging and *industrial warehousing*; and
- ii. bulk storage of fuels and aggregates.

“general office use” means the practice of a profession, the conduct of the office operation of a business or public administration, but does not include a *medical office*. (2012-001)

“grade” means the average level of proposed or finished ground adjoining a *building* or *structure*. (2016-108)

“group home” includes a home that is licensed or approved by the Province of Ontario and consists of a single housekeeping unit in a residential *dwelling* with 6 to 10 residents (excluding staff or receiving family) living as a family under responsible supervision consistent with the requirements of its residents but shall not include:

- i. shared accommodation licensed or approved under provincial statute for 5 or fewer residents;
- ii. foster home as defined by provincial statute;
- iii. *group homes* and shared accommodation exclusively for adult offenders (Community Resource Centres) approved by the Province of Ontario; half way houses exclusively for adult ex-offenders approved by the Province of Ontario ;and Open or Closed Custody Residences exclusively for juvenile offenders.

“heavy vehicle” means trucks, tractors and *commercial vehicles* exceeding a gross weight of 4500 kilograms, as licensed. (2012-001)

Definitions

“height” or “height, overall” (2012-001), (2016-108)

- i. when the regulation established a specific dimension, the vertical distance between the *established grade* to the highest point of the *structure*
- ii. when the regulation establishes *height in storeys*, the number in *storeys*
- iii. when the regulation establishes a specific dimension for an *accessory building* or *structure*, other than detached *residential garages* and *enclosed and roofed walkways*, the vertical distance between the *grade* to the highest point of an *accessory building* or *structure*

“home occupation” means the *accessory use* of a *dwelling unit* for an occupation or business which results in a product or service but does not include a *bed and breakfast establishment* or *private-home day care*.

“hotel” means a *building*, or group of *buildings*, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. *Hotel* may also include *restaurant*, *public hall* and *ancillary retail uses* which are incidental and subordinate to the primary *hotel* function and oriented to serve the *hotel* patrons. (2012-001)

“industrial warehouse” means a *building* used primarily for the storage and distribution of goods and materials, but shall not include a wholesale or retail outlet; a *transportation terminal*; the storage of fuel; or a *commercial self-storage use*.

“infrastructure” means the *buildings*, *structures*, and corridors forming the foundation of development including water lines, wastewater lines, oil and gas distribution mains, telecommunications lines and other cabled services, transit and transportation corridors, district energy lines without *cogeneration*, and local electric power lines, but shall not include a *power generation facility* or *renewable energy system*. (2012-001)

“institutional building” means a *building* where institutional *use* is the principal *use*. *Ancillary* or *accessory residential uses* are not permitted unless within a *residential zone*.

“landing” means a platform, either open or covered by a company or roof, located at the same level of a *dwelling unit*, with or without a foundation connecting to the stairway.

“landscape area” means an area of land or on the roof of a *private garage*, parking *structure* or any other *building*, comprised of lawn, shrubs, trees, flowers, or other similar permeable surfaces and including fences and walls as part of the area, without access by *vehicles* (except emergency access by *vehicles* such as fire trucks or ambulances). (2012-001)

“landscape strip” means an area which shall include a planting screen, or landscaped earth berm, or a combination of these features, and which may include fences and walls as part of the area. Walkways may traverse the *landscape strip*. (2012-001)

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“lane” means a thoroughfare that provides secondary means of vehicular access, or in the case of a *lot* which fronts onto public or private open space the primary means, of vehicular access to an abutting property which is maintained by a condominium corporation as a private road condominium or by a *public authority*.

“library” means a collection of printed, electronic, and pictorial material for public *use* for the purposes of study, reference, and recreation, and which may include meeting rooms for community *use*, activity areas, cafeteria, space for recreational *uses*, and accessory *general office use*. (2012-001)

“light industrial operation” means light manufacturing, fabricating, processing, assembly, repair, servicing, packaging, *industrial warehousing* of products or materials and *wholesaling* excluding *wholesale* accessible to the general public.

“limited retail” means a *retail* sales, rental or display area for goods manufactured, assembled or *warehoused* on the premises, located on the same *lot*, and contained within the same unit as the permitted *use*.

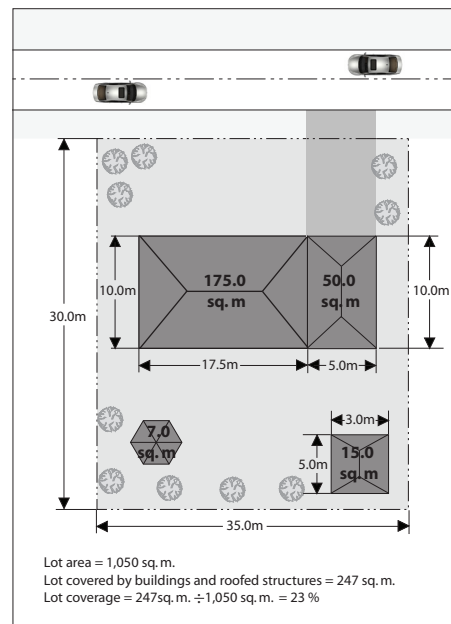
“loading dock” means an area or space directly adjacent to a *building* or unit, for the purpose of loading and unloading *vehicles* through a loading door, in conjunction with a permitted *use*. A *loading dock* does not include a door that only permits access of a *vehicle* into the *building*.

“lodger” means any person who pays rent, fees or other valuable consideration to a *lodging housekeeper* for living accommodations in which kitchen and washroom facilities are shared with other persons.

“lodging house keeper” includes the owner, landlord, lessee, tenant or occupant responsible for the granting of permission for the occupancy of a lodging unit and for the collection of the fees or rent payable by the *lodger*.

“lot” means a parcel of land owned by one person or one group of persons which meets the requirements of this by-law having regard to the *use* to which it is put or the *use* to which it is proposed to be put or, if it does not meet the requirements of this by-law, is the entire holding of that one person or one group of persons put to that *use* at the date of the passing of this by-law or, is a parcel of land which has been legally excused from meeting the requirements of this by-law, and

- i. **“lot area”** means the total horizontal area of a *lot*, less the horizontal area of any part of the *lot* which does not lie within a zone in which the proposed *use* is permitted.
- ii. **“lot coverage”** means the percentage of the *lot area* covered by all roofed *structures* and *buildings* above ground level excluding eave projections to a maximum of 0.6m. (2012-001) (2022-007)



Lot coverage includes all areas covered by buildings and roofed structures on a lot. It is a two-dimensional calculation (as shown in the diagram above) independent of other volume- or area-based regulations.

Definitions

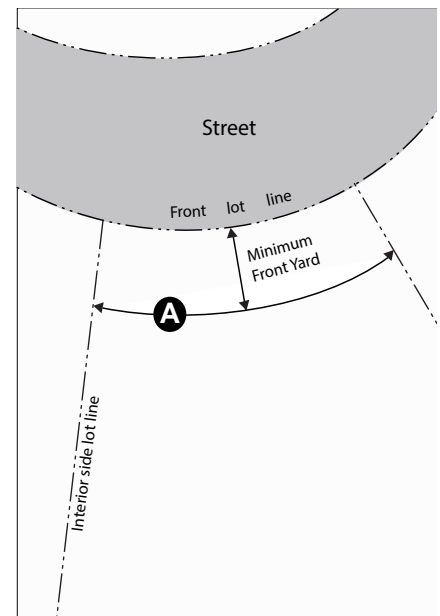
- iii. **“lot frontage”** means the horizontal distance between the side *lot lines* of a *lot* measured at the minimum applicable *front yard* setback. *Frontages* shall be determined in a manner that is most compatible with the surrounding development where possible, otherwise the shorter boundary abutting a *street* shall be deemed to be the *frontage*. (2012-001)
- iv. **“lot line”** means a line delineating any boundary of a *lot*.
- v. **“front lot line”** means the *lot line* which separates a *lot* from the *street* in front of it or where the *lot* does not have frontage on a *street*, the *lot line* which separates the *lot* from land in the Natural Heritage System (NHS) Zone, the Park (P) Zone or lands specifically zoned to limit the use to park or open space uses. (2012-001)
- vi. **“rear lot line”** means the *lot line* opposite to, and most distant from, the *front lot line*, but where the side *lot lines* intersect, as in the case of a triangular *lot*, the *rear lot line* shall be represented by the point of intersection.
- vii. **“flankage”** means the side *lot line* of a *corner lot* adjoining the *street*.
- viii. **“lot line, interior side”** means the *lot line* other than the *front* or *rear lot line* or the *flankage*.
- ix. **“lot line, side”** means a *flankage* or an *interior side lot line*.
- x. **“corner lot”** means a *lot* situated at the intersection of 2 or more *streets* or upon 2 parts of the same *street* having an angle of intersection not exceeding 135 degrees.
- xi. **“interior lot”** means a *lot* other than a *corner lot*.
- xii. **“through lot”** means a *lot* other than a *corner lot* having separate limits on 2 *streets*.
- xiii. **“lot depth”** means the shortest distance between the *front lot line* and *rear lot line*.

“main building” means the *building* designed or used for the principal use on the *lot*.

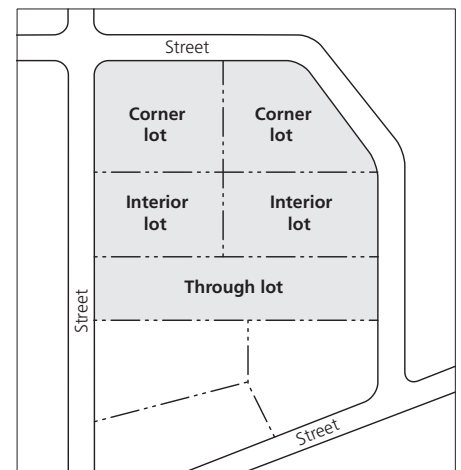
“medical office” means premises designed and used for the diagnosis, examination, and treatment of human patients, including pharmacies and dispensaries which are limited to a maximum of 50 square metres in *leasable floor area*, waiting rooms, treatment rooms, blood testing clinics, but shall not include overnight accommodation for in-patient care.

“mixed use building” means a *building* with multiple *uses* and which is not a *commercial building*.

“museum” means the preservation of a collection of any combination of paintings, other works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models, or designs, and which may also include a *library*, laboratories, and accessory *general office use*. (2012-001)



Measurement of lot frontage.



Lot types.

Definitions

“net hectare” means the area of the *lot* excluding all *streets* public and private *lanes*, parks, schools and *stormwater management facilities* and any other area of a plan used for open space purposes including but not limited to valleylands, woodlots, wetlands, buffers and linkages. (2012-001)

“nightclub” means an establishment or part thereof having a capacity to accommodate no more than 1000 persons at a time, whose principal function is the provision of music and where food or beverages may be served.

“non-complying” or **“non-compliance”** means not in compliance with one or more provisions of this By-law. The phrase “non-complying use” shall include *uses*, *buildings*, *structures* and *lots* that are *non-complying*.

“nursing home” or **“retirement home”** a *building* in which persons are cared for and lodged, where, in addition to sleeping accommodation and meals, personal care, nursing services and medical care are provided or made available.

“office building” means a *building*, designed or used for *general office use* or *medical office use*. (2012-001)

“outdoor patio” means an outdoor eating area used only on a seasonal basis in conjunction with a *restaurant*, where seating accommodation is provided and where meals or refreshments are served to the public for consumption on the premises and which is located entirely within the owner’s property limits. (2012-001), (2013-065)

“outside processing” means processing, manufacture, or repair conducted outside.

“outside storage” means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or inoperable *vehicles*.

“park, private” means an area of land not under the jurisdiction of a *public authority* that is designed or maintained for active or passive recreational purposes. (2012-001)

“park, public” means an area of land under the jurisdiction of a *public authority* that is designed or maintained for active or passive recreational purposes and other *uses* authorized through an agreement with the Town. (2012-001)

“parking garage” means a *building*, or part thereof, used for the parking of *vehicles* and may include any permitted *use* in the *first storey*, but shall not include any area where *vehicles* for sale or repair are kept or stored. A *parking garage* includes underground parking and parking *structure*.

“parking lot” means an open area other than the *street* or *driveway*, used for the temporary parking of motor *vehicles* and available for public *use* whether free, for compensation, or as an accommodation for clients or customers.

Definitions

“parking pad” means an open area of land that is paved and/or treated with a stable surface that is used for the parking and/or storage of three or less *vehicles* and which is exclusively devoted to a *residential use* on the same *lot*.

“parking space” means an unobstructed rectangular space that is designed to be used for the parking of a *vehicle*.

“personal service shop” means a non *retail* business associated with the grooming of persons, such as a barber or beauty salon or the maintenance or repair of personal wardrobe articles and accessories.

“place of amusement” means premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public, and includes a cinema or other theatre, billiard or pool rooms, bowling alleys, or, electronic games.

“place of worship” means a facility the primary *use* of which is the practice of religion, but which may include *accessory uses* subordinate and incidental to the primary *use* such as classrooms for religious instruction, programs for community social benefit, assembly areas, kitchens, offices and a residence for the faith group leader. Other than *day care* which shall be permitted, a *place of worship* shall not include a *private school* or residential or *commercial uses*.

“porch” means a roofed gallery or portico *structure* attached to the exterior of a *building*. A *basement* may be located under the *porch*.

“porch, inset” means a *porch* which is wholly or partially covered by the *building* rather than a roof.

“power generation facility” means a facility for generating electricity and includes a *cogeneration facility*, an *ancillary service* to power generation, and includes any *structures*, equipment or other things used for those purposes.

“private career college” means premises used by private post secondary institutions that enter into contracts with individual students to provide one or more vocational training programs for a fee and are licensed in accordance with that applicable Provincial Act but does not include a *commercial school*.

“private garage” means an *accessory building* or *structure* to, or a portion of, a *dwelling*, designed or primarily used for the parking of private motor *vehicles*.

“private-home day care” means the temporary care for reward or compensate of six children or fewer where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding 24 hours. (2022-007)

- i. in a *single detached, semi-detached, duplex, triplex* or *townhouse dwelling* - not more than 5 children under the age of 10 years including not more than 2 children under the age of 2 years or not more than 3 children under the age of 3 years; (2012-001)

Definitions

- ii. in an *apartment dwelling* - not more than 2 children under the age of 2 years and a total of not more than 3 children under the age of 5 years.

“propane transfer or storage facility” means a facility for the storage or transfer of propane, which does not include the *retail* sale of propane fuel to the public as an *accessory use* to a *commercial use*, or the storage of propane and its transfer and *use* by an individual business or establishment for the purposes of that individual business. (2012-001)

“public authority” means the Government of Canada, Province of Ontario, Region of Halton, Town of Oakville, and Conservation Halton. (2012-001)

“public hall” means any premises used for the purpose of holding banquets, bingos, weddings, receptions or other similar functions for which food and beverages may be prepared and served.

“public works yard” means a facility where motor *vehicles* and equipment required for the maintenance and operation of *uses* undertaken by a *public authority* are stored, and materials used for or resulting from the maintenance and operation of such *uses* are stored or processed.

“recreational vehicle” means a *vehicle* designed to be used primarily for travel, recreation or vacationing, which may be designed to be towed or propelled by a motor *vehicle* or self-propelled, and includes such *vehicles* commonly known as travel *trailers*, camper *trailers*, truck camper, motor homes, boats, snowmobiles or other similar *vehicles* but does not include a mobile home.

“renewable energy system” means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

“research and development” means scientific research investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

“residential use” means the *use* of land and *buildings* for human habitation but does not include a *hotel*.

“residential zone” means a *zone* that permits *residential uses*.

“restaurant” means an establishment or part thereof that is engaged in providing meals or refreshments to order for take-out or for consumption on the premises within a *building* and which may include table service on an ancillary exterior patio, walk, deck or veranda.

“retail” means the sale or rental of commodities to the consumer or end *user*.

“retirement home” see *nursing home*.

Definitions

“school, commercial” means premises where instruction (excluding a *private career college*) of a skill is provided for the purpose of profit which may include but is not limited to, a cooking school, a computer school, a dancing school, a driving school, a tutoring service or a music school.

“school, post-secondary” means a public university or college of applied arts and technology, and may include a *dormitory, restaurant, financial institution, and personal service shop as accessory uses*, but does not include a *commercial school or private career college*. (2012-001)

“school, private” means a *building, structure* or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided, but does not include a *commercial school, post-secondary school, private career college or public school*. (2012-001)

“school, public” means a *building, structure* or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided under the jurisdiction of a school board established by the Province of Ontario. (2012-001)

“second suite” means an *accessory second dwelling unit* having its own separate entrance distinct from the main *dwelling unit*.

“sensitive land use” means *buildings, amenity areas*, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land *uses* may be part of the natural or built environment. Examples may include, but are not limited to: residences, *day care* centres, and educational and health facilities.

“service commercial” means:

- i. *personal service shop*;
- ii. professional studio such as that of a photographer, artist or interior designer or,
- iii. a non *retail* business associated with the operation and maintenance of a home or office such as a photo processing shop, a private mail box service, a small appliance repair shop, a catering service, or a maid or janitorial service, with a maximum floorspace of 250 square metres.
- iv. a non *retail* establishment for the grooming, training or daily care of dogs and cats and other domesticated animals, excluding livestock, but shall exclude overnight boarding and outdoor facilities. (2022-007)

“service establishment” means:

- i. a non *retail* establishment for servicing, repairing or installing items and equipment, such as a radio, television or computer service or repair shop, a locksmith shop, an appliance service or repair shop, but ex-

Definitions

cluding any service, maintenance and repair of automotive *vehicles* and marine craft; or,

- ii. a non *retail* establishment for renting of equipment, a taxi dispatch service or a printing establishment.

“service station” means a *commercial use* for the servicing and repairing of motor *vehicles* and for the sale of fuel, oils and accessories for motor *vehicles*, but shall not include a *gas bar, vehicle dealership or vehicle repair facility*. (2022-007)

“setback” means the distance between a *building* and a *lot line*. In calculating the *setback* the horizontal distance from the respective *lot line* shall be used.

“short-term accommodation” means the provision of a *dwelling unit* which is used for the temporary lodging of the travelling public for a rental period not greater than 28 consecutive days. (2018-038)

“stacking lane” means a continuous on-site single queuing line that includes stacking tandem spaces for motorized *vehicles* which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs. (2022-007)

“storey” means that portion of a *building* which is situated between the top of any floor and the top of the floor next above it and, if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include rooftop mechanical equipment or rooms or stairwell access.

“storey, first” means the *storey* with its floor closest to *grade* and having its ceiling more than 1.8 metres above *grade*.

“stormwater management facility” means an end-of-pipe, managed detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate or direct it for an intended *reuse*. (2012-001)

“street” means a *public or private street*.

“street, private” means a right-of-way or roadway that is used by *vehicles* and is maintained by a condominium corporation as a private road condominium, but which provides access to individual free hold *lots*, and is not a private *lane*.

“street, public” means a right-of-way or roadway that is used by *vehicles* and is maintained by a *public authority*, but does not include a public *lane*.

“structure” means anything that is erected, built or constructed of parts joined together but does not include fences, retaining walls, light standards or signs. (2022-007)

Definitions

“suite” Means a single room or series of rooms of complementary *use*, operated under a single tenancy and includes individual guest rooms in *hotels*, rooms occupied by *lodgers*, *group homes*, and dormitories.

“supermarket” means a *building*, or part thereof, containing a departmentalized food store, but does not include a *convenience store*.

“surface parking area” means an open area of land not located in a *building* or *structure* or on a *street* or *lane* which is used for the parking of *vehicles*, but shall not include any area where *vehicles* for sale or repair are kept or stored. The *use* of a *lot* for *surface parking area* may be considered to be the principal *use* of the *lot*.

“tandem parking space” means one *parking space* located immediately behind another *parking space* where both spaces are for the exclusive *use* of one *dwelling unit*.

“trailer” means a *vehicle* designed to be towed by a motor *vehicle* for the purpose of transporting or storage of goods, materials and equipment, including boat and snowmobile *trailers*.

“transportation terminal” means the *use* of land for the purpose of storing, parking or dispatching of *buses*, trucks, tractors or *trailers*, including servicing or repair within an enclosed *building*.

“uncovered platform” means an attached or freestanding *uncovered platform* or series of platforms, excluding any landing or stairs, which is constructed above *grade*, and which is located on the same level as or lower than the *first storey* of the *building* in which the *dwelling unit* or *suite* is located.

“use” means the purpose for which a *lot* or a *building* or *structure* is arranged, designed, or intended or for which either *building* or land or *structure* is or may be occupied or maintained; and *use* or used as a verbal expression means the doing or permitting of anything by the owner or occupant of any land, *building* or *structure* directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant, for the purpose of making *use* of the land, *building* or *structure*.

“vehicle” means a car, truck, *trailer*, *recreational vehicle* including boats, van, motorcycle, snowmobile, or any other *vehicle* required to be licensed.

“vehicle dealership” means the selling or leasing of *vehicles*, including the *outside storage* of inventory *vehicles*, and may include a *vehicle repair facility* within an enclosed *building*, but does not include a *gas bar* and is not a *retail store*.

“vehicle repair facility” means any *building*, or part of a *building*, equipped with facilities for the service, maintenance and repair of *vehicles*, which may include auto body repair facilities within an enclosed *building*, or a car wash facility.

Platforms covered by other platforms remain “uncovered platforms” when interpreting the regulations of this By-law.

“Uncovered platform” is Oakville’s catch all zoning term for decks, landings, and other similar structures without roofs.

Definitions

“vehicle storage compound” means a parcel of land used for the temporary storage of damaged or impounded *vehicles*.

“veterinary clinic” includes an Animal Hospital, an Animal Clinic or an Animal Medical Centre and means premises designed and used by a veterinarian or group of veterinarians for the diagnosis, examination, and treatment of animals and includes the overnight care of animals supervised by a licensed veterinarian within enclosed *buildings* in accordance with recognized veterinary standards, but does not include a boarding kennel.

“waste” means a material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a *useable* product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process.

“waste, hazardous” means any substance or material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

“waste processing station” means a facility within an enclosed *building* whose primary purpose is the sorting and processing of waste to create a new product or raw material on site.

“waste transfer station” means a facility within an enclosed *building* whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards.

“wholesaling” means establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, *commercial*, institutional or professional business *users*, or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

“yard” means any open, uncovered, unoccupied space appurtenant to a *building*, and in determining *yard* measurement the minimum horizontal measurement shall be used, and;

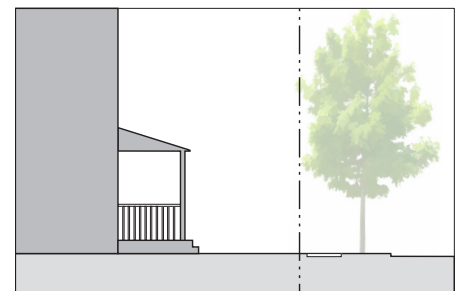
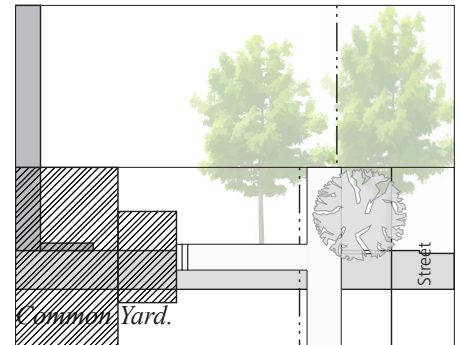
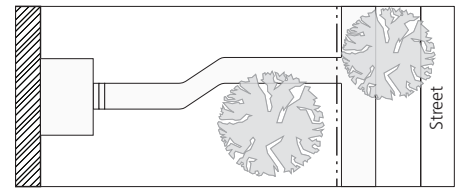
- i. **“side yard”** means an *flankage yard* or *interior side yard*.
- ii. **“flankage yard”** means a side *yard* adjoining the *street* on a *corner lot* extending from the *front yard* to the *rear yard* between the *flankage* and the nearest part of a *building* on the *lot*.
- iii. **“front yard”** means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest part of any *building* on the *lot*.

Portions of buildings below grade are subject to the same yard requirements as buildings above grade, unless otherwise permitted by this By-law.

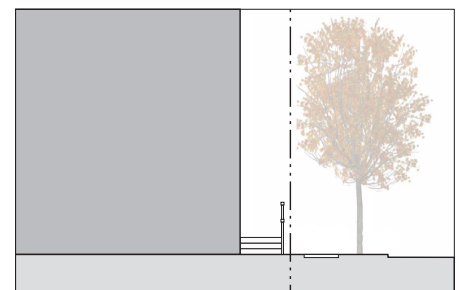
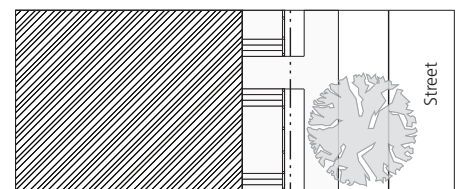
Definitions

- iv. **“rear yard”** means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest part of any *building* on the *lot*.
- v. **“required yard”** means the minimum *yard* required by this by-law, as amended.
- vi. **“interior side yard”** means a *yard* extending from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest part of a *building* on the *lot*.
- vii. **“common yard”** means a *front yard* wherein the *front wall* is set back from the *front lot line* and there is no *porch*. The *front yard* created generally remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.
- viii. **“porch yard”** means a *front yard* wherein the *front wall* is set back from the *front lot line* with an attached *porch* permitted to encroach.
- ix. **“inset porch yard”** means a *front yard* wherein the *front wall* is measured at the second *storey* and is set back from the *front lot line*. The second *storey* overhangs an attached *inset porch* which is permitted to encroach.
- x. **“stoop yard”** means a *front yard* wherein the *front wall* is aligned close to the *front lot line* with the *first story* elevated from the sidewalk by at least 1m to secure privacy for the windows. The entrance is usually an exterior stair and landing and vehicular access is via a *lane*.

“zone” means a designated area of land *use* shown in the Zoning Maps of this By-law.



Porch Yard.



Stoop Yard.